



CANNON BUILDING
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**STATE OF DELAWARE
REAL ESTATE COMMISSION**

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PUBLIC MEETING MINUTES:	REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, January 12, 2017 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , Second Floor of the Cannon Building
MINUTES FOR APPROVAL	March 9, 2017

MEMBERS PRESENT

Jason Giles, Professional Member, Chairperson
Lynnette Scott, Professional Member, Vice Chairperson
Michael Harrington, Sr., Professional Member
Nikki Lane, Professional Member
Lynn Rogers, Public Member, Secretary
Joseph F. McCann, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Kelly, Deputy Attorney General
David Mangler, Division Director
Nicole Williams, Administrative Specialist III

MEMBERS ABSENT

Justin Healy, Professional Member

ALSO PRESENT

Tom Burns, Real Estate Education Committee
Andrew Taylor, Esquire, Ward & Taylor

CALL TO ORDER

Mr. Giles called the meeting to order at 9:01 a.m. Mr. Giles welcome Nate Gibbs and Nikki Lane to the Commission as new Commission members.

REVIEW OF MINUTES

Mr. Rogers made a motion, seconded by Mr. Harrington to approve the minutes of the meeting held on December 8, 2016 as written. By unanimous vote, the motion carried.

UNFINISHED BUSINESS

Deliberations for Public or Written Comments Rules and Regulations

The Commission deliberated at 9:04 a.m. for any written or public comments from the rules and regulations' hearing that was held on December 8, 2016 during the 15 day written comment period to vote to accept the proposed changes. Ms. Kelly explained the rules and regulations proposed changes procedures for the new Commission members and the changes that were made to the regulations regarding the licensee having to report any and all address changes and the crimes list.

The Commission had no further comment or deliberations on the regulations. Mr. Harrington made a motion, seconded by Mr. McCann to accept the proposed regulations. By unanimous vote, the motion carried. The Commission signed the final order.

Mr. Harrington advised to send communication out to the Board of Realtors and Ms. Kelly advised to see the rules. Mr. Giles suggested to draft a quarterly newsletter to go to all licensees and sent from the Commission office. Ms. Williams will work with Ms. Kelly to draft a quarterly newsletter.

Discussion of CE Credits Rule 13.7

Ms. Kelly advised that the Commission discussed at their last meeting about Rule 13.7 obtaining CE credit for attending Board meetings and that the public cannot obtain credit for meeting attendance, only the Board members, if they attend at least 80 percent of the meetings. Mr. Giles advised that not every meeting is going to qualify for credit as not all meetings cover substantive information. The Commission continued to discuss. Mr. Andy Taylor addressed the Commission regarding the Rule change to 13.7 to language stating that if attend three meetings on the legislative committee task force then can obtain three credits in Module 5, Legislative Update, towards continuing education credit. Ms. Scott advised that this would cause an issue for the administrative workload to maintain who attended the meetings for CE credit. Ms. Williams stated that Mr. Mangler advised the Commission at the last meeting that it would be the responsibility of the attendee to sign in to show proof that they attended the meeting and the recorded attendance in the meeting minutes would be proof if were audited.

Ms. Lane advised that it would be a slippery slope for those attending for only 15 minutes of a meeting as they are not obtaining any substantive information from the meeting. Mr. Burns addressed the Commission and stated that as a Committee there is no substantive information as they are only reviewing the course and instructor applications with no real discussion; therefore obtaining credit for Committee meetings would not obtain any content.

Ms. Scott inquired about how this concern arose regarding CE credit for attending meetings. Mr. Mangler advised that a concern was brought to a legislator for unfair equality for attending a meeting as it appeared to be favoritism as Board members are getting CE credit for attending meetings and also receiving payment for attending as well. Mr. Giles advised that he is on board for changing Rule 13.7 to allow for CE credit to all, not just the members. Ms. Kelly read rule 13.7 for the record. Ms. Scott made a motion to leave Rule 13.7 as currently written.

Mr. Mangler advised of the other options to either eliminate Rule 13.7 altogether, open it to all the public for CE credit for attendance, or change language to allow for only a specified amount of hours for a specific amount of credits. The Commission discussed their options. Mr. Giles made a motion to eliminate the credits obtained as commissioners for attending board meetings.

Mr. Harrington suggested opening it to all the public to obtain CE credit for attendance to all commission meetings, committee meetings, and/or legislative committee meetings as the Board members currently. Mr. Giles advised that they would have to attend at least 80 percent of the meetings. Mr. McCann suggested striking this rule entirely. Mr. Harrington inquired about the affect

this would have on the Education Committee if the rule is stricken. Mr. Burns advised that the Committee has the benefit of obtaining credits for meeting attendance. Mr. Mangler advised that if there is educational value to attending meetings then why not open up the CE credit to all the public for credit. If there is no educational value then where is the educational value for the Board members that are attending and obtaining credit to satisfy the CE requirement to maintain licensure. Mr. Giles advised that every meeting will not be educational value and it would be difficult to determine what meetings will and would not be considered educational value. Mr. Mangler advised to change the language to state that all licensees can obtain CE credit for attending 80 percent of all education committee meetings and leave out the Board member attendance aspect. The Commission continued to discuss the value of attending meetings for educational credit. Mr. Giles withdrew his motion. Ms. Scott made a motion to keep Rule 13.7 as currently written, seconded by Ms. Lane. By majority vote, the motion carried with four affirmatives and three nays.

Mr. Taylor advised the Commission that changes need to be made to the Unimproved Land, New Construction, and Seller Disclosures forms. Mr. Taylor volunteered to review the forms to make changes. Mr. Burns advised that he does not have an issue with taking the forms to the Committee for review as well.

Ms. Williams will place on the March agenda the review and discussion of the Unimproved Land, the Seller Disclosure, and New Construction forms.

Review and Sign Final Order for Barry Grim – Case #02-29-14

The Commission reviewed the final order for Barry Grim and was signed by Mr. Giles, Chairperson.

Review and Consideration of Executed Consent Agreement and Proposed Order for Gilbert R. Myers, Case #02-16-16

The Board reviewed and considered the consent agreement and proposed order for Gilbert R. Myers. Ms. Kelly reviewed the content of a consent agreement with the new members and the options given by the Commission whether to accept or reject. Mr. McCann made a motion, seconded by Ms. Scott, to accept the consent agreement as written. By unanimous vote, the motion carried.

Draft Bill Adding Authority to Create Committees

Ms. Kelly advised that the law currently does not provide the Commission authority to create committees. Ms. Kelly drafted a legislative bill to grant the Commission the authority to create an Education Committee as legislative clean-up. Mr. Harrington made a motion, seconded by Ms. Scott, to accept the draft bill. By unanimous vote, the motion carried.

NEW BUSINESS

Education Committee Report – January 5, 2017

Ms. Burns provided the January Committee report. They elected new officers. Nine instructor applications and 27 course provider applications were approved with no denials. The Committee discussed the Commission's Rule 13.7 and advised that it agrees that there should be equal opportunity for the public and licensees in addition to Board members to be able to obtain continuing education credit for attending Board meetings. Mr. Burns advised that Elaine Woerner's term will ending and they are seeking her replacement and Chrissy Steele was elected to the Committee and attending her first meeting on the 5th. Ms. Barbara Brodoway was elected the new Chair and Mr. Rushe was elected the new Vice-Chair.

Mr. Harrington made a motion, seconded by Mr. McCann to approve the education committee report.

Ms. Lane made a motion, seconded by Ms. Scott, to approve the education committee to voluntarily rotate to bring in refreshments for the Committee if they so choose. By unanimous vote, the motion carried.

Review and Consideration of Request from Ashley Lyon, Salesperson

The Commission reviewed the request for Ms. Lyon. Mr. Harrington made a motion, seconded by Mr. McCann to approve her CEs as she submitted.

Applications for Licensure Ratification of Salesperson Applications

Ms. Scott made a motion, seconded by Mr. Rogers, to ratify the approved applications for salespersons per attached list at the end of the minutes. By unanimous vote, the motion carried.

Ratification of Broker and Associate Broker Applications

Mr. Harrington made a motion, seconded by Mr. McCann to ratify the approved applications for broker and associate broker per attached list at the end of the minutes. By unanimous vote, the motion carried.

Review of Application(s) for New Office

The Commission reviewed the following office application(s):

Lakeshore Realty, LLC – Lewes, DE – BOR: Renee Lee Thompson

Long & Foster Real Estate, Inc. – Wilmington, DE – John N. D'Ambrosia

Mr. Harrington made a motion, seconded by Ms. Lane, to approve the above new office application(s). By unanimous vote, the motion carried.

Review of Office Application(s) for Relocation

The Commission reviewed the following office application(s):

Musi Commercial Properties – Wilmington, DE – BOR: Kenneth Musi

Mr. Harrington made a motion, seconded by Mr. Rogers, to approve the relocation of the above office application(s). By unanimous vote, the motion carried.

Review of Reinstatement Application(s) to Sit for the General and/or State Exam(s)

The Commission reviewed the reinstatement application for Lonnie Welch. Ms. Scott made a motion, seconded by Mr. Harrington, to approve the reinstatement application for licensure for Lonnie Welch upon successful passing the State Law exam. By majority vote, the motion carried. Mr. Giles recused himself.

The Commission reviewed the reinstatement application for Lori Huff. Mr. Rogers made a motion, seconded by Mr. Harrington to approve the reinstatement application for Lori Huff upon successful passing of the General and State exams. By unanimous vote, the motion carried.

Review of Salesperson Application – Ryan Arches, Conviction

The Commission reviewed the application for licensure as a Salesperson for Ryan Arches. Ms. Kelly advised that Mr. Arches needs a waiver as he has a felony conviction. Mr. Harrington made a motion, seconded by Mr. McCann to approve Mr. Arches's application for licensure. By unanimous vote, the motion carried.

Status of Complaints

Complaint #02-35-16 – Dismissed by Investigator

CORRESPONDENCE

There was no correspondence.

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

Ms. Kelly advised that the briefing on the auctioneer's bill has been completed and is now with the Supreme Court and will issue an order on that briefing after it has been reviewed.

PUBLIC COMMENT

There was no public comment.

NEXT SCHEDULED MEETING

The next meeting will be held on February 9, 2017 at 9:00 a.m. in Conference Room A, 861 Silver Lake Boulevard, Suite 203, Dover, DE.

ADJOURNMENT

Mr. Rogers made a motion, seconded by Ms. Scott to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 10:53 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nicole M. Williams".

Nicole M. Williams
Administrative Specialist III

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.

Salesperson Ratification List

License Number	Name	Type	Office	Office Location
RS-0024262	Jacobs, Heather M.	Salesperson	Keller Williams Realty	Christiana DE 19702
RS-0024263	McGarr, Stacy	Salesperson	Keller Williams Realty	Christiana DE 19702
RS-0024264	Albee, Kimberly Jean	Salesperson	Keller Williams Realty	Lewes DE 19958
RS-0024265	Joyce, Joanne M	Salesperson	RE/MAX Main Line	West Chester PA 19382
RS-0024266	Jones, Tiffany K	Salesperson	Long & Foster Real Estate, Inc.	Bear DE 19701
RS-0024267	Ladd, Alan D	Salesperson	Berkshire Hathaway HomeServices Fox & Roach	Greenville DE 19807
RS-0024268	Borrelli, Richard A., Jr.	Salesperson	Harrington ERA Realty Inc.	Dover DE 19901
RS-0024269	Jensen, Felicia	Salesperson	Long & Foster Real Estate, Inc	Wilmington DE 19807
RS-0024270	Schmitt, Edward	Salesperson	Fox & Roach LP - Berkshire Hathaway HomeServices	Devon PA 19333
RS-0024271	Harkins, Lauren A	Salesperson	Patterson Schwartz and Associates	Hockessin DE 19707
RS-0024272	Mendenhall, Brenda	Salesperson	Patterson Schwartz	Wilmington DE 19807
RS-0024273	Calhoun, Yvonne	Salesperson	Long & Foster Real Estate, Inc	Bethany Beach DE 19930
RS-0024274	Mattocks, Benjamin S	Salesperson	Keller Williams Realty	Christiana DE 19702
RS-0024275	Lamb, Rachel L	Salesperson	Olson Realty	Dover DE 19901
RS-0024276	Quillin, Gayle W	Salesperson	ERA Martin Associates	Salisbury MD 21804
RS-0024277	Hoferer, Kimberly S.	Salesperson	Long & Foster Real Estate, Inc.	Hockessin DE 19707
RS-0024278	Soto, Juan	Salesperson	Bershire Hathaway Home Services Fox & Roach	Newark DE 19711
RS-0024279	Minster, William J	Salesperson	Patterson Woods & Associates	Greenville DE 19807
RS-0024280	Hinckley, Lynn A.	Salesperson	Re/Max Town & Country	West Chester PA 19382
RS-0024281	Davis, Deborah D	Salesperson	Weichert Realtors	Wilmington DE 19808
RS-0024282	Evancho, Susan C.	Salesperson	Long & Foster Real Estate, Inc.	Greenville DE 19807
RS-0024283	Bautista-Diaz, Angela Dawn	Salesperson	Re/Max Horizons, Inc.	Dover DE 19904
RS-0024284	Paul, Joseph A	Salesperson	Patterson Schwartz	Wilmington DE 19807
RS-0024285	Scharl, Lynn David	Salesperson	Patterson Schwartz & Associates	Wilmington DE 19810
RS-0024286	Hoffer, Eric P	Salesperson	Coldwell Banker Resort Realty	Rehoboth Beach DE 19971
RS-0024287	Johnson, Elizabeth W.	Salesperson	ERA Harrington Realty, Inc.	Dover DE 19901
RS-0024288	Usilton, Joseph K.	Salesperson	Patterson Schwartz Real Estate	Newark DE 19713
RS-0024289	Potts, Donald E	Salesperson	Patterson Price Real Estate	Middletown DE 19709
RS-0024290	Vinokurov, Dany	Salesperson	Provest Realty Associates Inc	Wilmington DE 19808
RS-0024291	Condon, Darlene E.	Salesperson	HRT, LLC dba Re/Max Above & Beyond	Seaford DE 19973
RS-0024292	Shenko, Clare M.	Salesperson	Berkshire Hathaway Home Services Fox & Roach	Hockessin DE 19707
RS-0024293	Dowlin, Joshua	Salesperson	Remax Vision	North East MD 21901
RS-0024294	Olivera, Maria G.	Salesperson	Re/Max Associates	Newark DE 19711

RS-0024295	King, Tiffany M.	Salesperson	Keller Williams Realty Central Delaware	Dover DE 19901
RS-0024296	Durovich, Karen B.	Salesperson	Patterson Schwartz	Hockessin DE 19707
RS-0024297	Clark, Lucas A	Salesperson	Equity Mid-Atlantic Real Estate	Fort Washington PA 19034
RS-0024299	Biggs, Felice Y.	Salesperson	Keller Williams Realty	Christiana DE 19702
RS-0024300	Celi, Felipe A	Salesperson	Keller Williams Realty	Christiana DE 19702
RS-0024301	Mast, Gregory S.	Salesperson	Keller Williams Realty	Christiana DE 19702
RS-0024302	Fitzgerald, Deborah J.	Salesperson	Beiler-Campbell Realtors and Appraisers	Avondale PA 19311
RS-0024303	Pfaff, Beth E.	Salesperson	Berkshire Hathaway Home Services Fox & Roach	Newark DE 19711
RS-0024304	Pan, Haifei	Salesperson	Weichert Realtors	Wilmington DE 19808
RS-0024305	Kotwica, Shawn A.	Salesperson	Coldwell Banker Residential Brokerage	Ocean City MD 21842
RS-0024306	Price, Susan Ann	Salesperson	Weichert Realtors - First Class	Dover DE 19901
RS-0024307	Jeney, Dennis	Salesperson	Long & Foster Real Estate, Inc.	Lewes DE 19958
RS-0024308	Tijerino, Christopher	Salesperson	Long & Foster Real Estate, Inc	Greenville DE 19807
RS-0024309	Coe, Jennifer N.	Salesperson	Concord Realty Group	Wilmington DE 19803
RS-0024310	Burkhardt, Kevin J	Salesperson	Century 21 Gold Key Realty	Dover DE 19901

Broker and Associate Broker Ratification List

License Number	Name	Type	Office	Office Location
RA-0020513	Kelly, Martin J.	Associate Broker	Musi Commercial Properties, Inc.	Wilmington DE 19807
RA-0020515	Novakovic, Nikolina	Associate Broker	Century 21 Gold Key	Newark DE 19711
RA-0020516	Felton, Lauren Cierra	Associate Broker	Re/Max Associates	Hockessin DE 19707
RA-0020517	Potter, Charles, III	Associate Broker	Potter Realtors	Wilmington DE 19808
RA-0020521	Simpson, Samuel W.	Associate Broker	Keller Williams Realty	Christiana DE 19702
RA-0020522	Cresswell, David K.	Associate Broker	The Firm Realty Group	Wilmington DE 19804
RA-0020523	Hamilton, Sharon M.	Associate Broker	Concord Realty Group	Wilmington DE 19803
RA-0020524	Hope, Collena D.	Associate Broker	Remax Eagle Realty	Smyrna DE 19977 Rehoboth Beach DE 19971
RB-0020514	Pluscht, Joseph, Jr.	Broker	Patterson Schwartz Real Estate	Gaithersburg MD 20878
RB-0020518	Occhiuzzo, Gerard F	Broker	G Realty	Conshohocken PA 19428
RB-0020519	Slowik, Tracy	Broker	How Real Estate, LLC	Ocean City MD 21842
RB-0020520	Curtiss, Sharon A.	Broker	Berkshire Hathaway HomeServices PenFed Realty	